

**ARGUMENTS**

Rejection of Claims on Art Grounds in the 09/26/2003 Office Action, and Traversal Thereof

In the 26 September 2003 Office Action, claims 1-43 have been rejected on prior art grounds, under 35 U.S.C 102, as follows:

Claims 1-43 are rejected under 35 USC 102(b) as being anticipated by Rational Rose v. 4.0 released November 1996.

The above rejections of the claims 1-43 on the stated art and utility grounds are traversed, and consideration of the patentability of the claims 1-43 is requested, in light of the following remarks.

The applicant asserts that it defines a comment as a semantic comment, i.e., a semantic extension of the source code for providing semantic context to the comment. This clarification of the definition of semantic comment as opposed to comment does not provide a definition that is repugnant to the normal meaning, rather it clarifies and further particularizes the type of comment in the present invention.

The present invention is distinguishable over the prior art cited by the examiner inasmuch as the present invention provides for building diagrams from code by parsing the comments and the code, whereas the Rational Rose 4.0 reference cited by the examiner (hereinafter referred to as "Rose") requires a separate repository, i.e., Rose reads the source code and creates a separate repository stored in an NDL file, and imports and exports from it; Rose parses the source code and creates a repository to work from, which teaches away from the present invention. By contrast, the present invention provides for a transient meta model that is built directly from the source code. Thus, the present invention works directly from the source code using a single source approach to

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parse the source code and create a semantic extension of the source code, semantic comments, that provide for a mixture of source code and comments in the form of a diagram.

Claims 1-43 are asserted to be in patentable condition. Allowance of these claims is hereby respectfully requested. In the event that the Examiner finds additional minor modifications that would place these claims in allowable condition, the Examiner is respectfully requested to make telephonic contact with the Attorney of Record to discuss and make changes via Examiner's Amendment to place the claims in condition for allowance.

The above rejections of the claims 1-43 on the stated art and utility grounds are traversed, and consideration of the patentability of the claims 1-43 is requested, in light of the foregoing remarks. Favorable action is therefore requested.

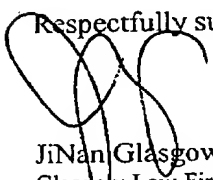
#### CONCLUSION

In view of the foregoing, claims 1-43 constituting the claims pending in the application, are submitted to be fully patentably and in allowable condition to address and overcome the rejections.

If any issues remain outstanding, incident to the allowance of the application, Examiner Ingberg is respectfully requested to contact the undersigned attorney at (919)-664-8222 or via email at [jinang@trianglepatents.com](mailto:jinang@trianglepatents.com) to discuss the resolution of such issues, in order that prosecution of the application may be concluded favorably to the applicant, consistent with the applicant's making of a substantial advance in the art and particularly pointing out and distinctly claiming the subject matter that the applicant regards as the invention.

This Office Action response is submitted via fax to the official group fax number  
at 703.872.9306 on January 26, 2003.

Respectfully submitted,



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